

PS 8
(8/88)

JUN 12 2009

UNITED STATES DISTRICT COURT

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASfor the
Western District of TexasBY _____
DEPUTY CLERKU. S. A. vs. **MONICA RAMOS**Case No. **SA09-CR-076-02(FB)****Petition for Action on Conditions of Pretrial Release**

Comes now Alejandro Cruz, Jr., U.S. Pretrial Services Officer, presenting an official report upon the conduct of defendant, Monica Ramos who was placed under pretrial release supervision by the Honorable John W. Primomo sitting in the court at San Antonio, Texas, on the 24 th day of February, 2009 under the following conditions:

Please see attached Appearance Bond and Order Setting Conditions of Release dated February 24, 2009.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

U.S. Pretrial Services alleges the defendant has violated the following condition(s) of his release:

Condition No. 7(q): *Refrain from any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.*

Upon successfully discharging from the Alpha Home on May 24, 2009, on May 26, 2009, Ramos submitted a urine specimen in accordance with the random urine drug testing program. On the same date, the defendant admitted taking a prescribed hydrocodone medication which belonged to her mother due to having back pain. Subsequent testing of the specimen revealed the presence of opiates. On May 29, 2009, a follow up urine specimen was collected which was negative for all illicit substances. However, on June 1, 2009, the defendant submitted a urine specimen which again tested positive for opiates. The defendant was confronted and stated she again ingested hydrocodone medication on May 31, 2009 again belonging to her mother although she was previously admonished for such behavior.

On June 8, 2009, the defendant submitted a urine specimen at which time she also provided her doctor's prescription for hydrocodone effective June 2, 2009. On June 9, 2009, the urine specimen was tested and results were positive for opiates and cocaine metabolite. As of June 10, 2009, the defendant has not been confronted with the violation for cocaine usage.

Also on June 8, 2009, the results of the confirmation request regarding the above two contested opiate positive urine specimens was received from Kroll laboratories. Both were confirmed positive for morphine.

Assistant United States Attorney Priscilla Garcia was advised of the violation and concurs with the recommendation of Pretrial Services.

PRAYING THAT THE COURT WILL ORDER a warrant of arrest be issued and the defendant be brought before the Court to show cause why her bond should not be revoked.

Respectfully submitted,

FOR _____
Alejandro Cruz, Jr.
U.S. Pretrial Services Officer

Place: San Antonio, Texas
Date: June 11, 2009

ORDER OF COURT

Considered and ordered this 12 day of June 2009, and ordered filed and made a part of the records in the above case.

U.S. Magistrate Judge